

FORM PTO-1390
(REV. 1-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

40198/181160 (CAN100)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/937542

INTERNATIONAL APPLICATION NO.
PCT/IB00/00426INTERNATIONAL FILING DATE
07 April 2000 (07.04.2000)PRIORITY DATE CLAIMED
09 April 1999 (09.04.1999)

TITLE OF INVENTION

SCALPEL ASSEMBLY

APPLICANT(S) FOR DO/EO/US

BELL, Michael S.G.; LEE, Leonard G.; O'MALLEY, Michael T.; MAXWELL, Timothy J.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 37 (b) and PCT Articles 22 and 39(1).
4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. has been transmitted by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
8. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. have been transmitted by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
10. A translation of the annexes of the International Preliminary Examination Report under PCT Article 36
11. An Information Disclosure Statement under 37 CFR 1.197 and 1.98
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A FIRST preliminary amendment.
14. A SECOND or SUBSEQUENT preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
Other items or information:

I hereby certify that this Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 3.71, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the 26th day of September 2001 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR 1.10, Mailing Label Number EL670010187US addressed to the Box PCT, Commissioner for Patents, Washington, D.C. 20231.

U.S. APPLICATION NO. (if known) see 37 CFR 1.6)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER	
09/937542	PCT/IB00/00426	40198/181160 (CAN100)	
17. <input checked="" type="checkbox"/> The following fees are submitted BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):		CALCULATIONS PTO USE ONLY	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO		\$1000.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO		\$860.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO		\$710.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$690.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =		\$ 860.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$ 0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	- 20 =		X \$18.00 \$ 0.00
Independent claims	- 3 =		X \$80.00 \$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$270.00	\$ 0.00
TOTAL OF ABOVE CALCULATIONS =		\$ 860.00	
Reduction of $\frac{1}{2}$ for filing by small entity, if applicable <input type="checkbox"/> Applicant claims small entity status (37 CFR 1.22) 50% reduction --		\$ 0.00	
SUBTOTAL =		\$ 860.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$ 0.00	
TOTAL NATIONAL FEE =		\$ 860.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property		\$ 40.00	
TOTAL FEES ENCLOSED =		\$ 900.00	
		Amount to be refunded:	
		\$	
		charged:	
a. <input checked="" type="checkbox"/> A check in the amount of \$900.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 11-0855 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.		\$	
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.			
CORRESPONDENCE ADDRESS:		CUSTOMER NUMBER BAR CODE LABEL:	
John S. Pratt, Esq.		 23370 PATENT TRADEMARK OFFICE	SIGNATURE
KILPATRICK STOCKTON LLP 1100 Peachtree Street, Suite 2800 Atlanta, Georgia 30309-4530			Name: Camilla C. Williams Registration No. 43,992